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Pursuant to Plaintiff's request, this case is withdrawn from the Court's mediation program. The initial pretrial conference previously scheduled for September 30, 2019, is hereby rescheduled to **September 17, 2019, at 2:45 p.m.**

So ordered:

August 29, 2019

August 25, 2019

VIA ECF & E-MAIL

Honorable J. Paul Oetken
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 706
New York, New York 10007


J. PAUL OETKEN
United States District Judge

RE: Kaye v. NYC Health & Hospitals Corp. et. al.
Index No.: 18-cv-12137(JPO)

Dear Honorable Judge Oetken:

I respectfully write to unequivocally withdraw from the Mediation Program. As has been stated in prior correspondence, Plaintiff has attempted to participate in the program in good faith to no avail. Plaintiff has made multiple requests for initial discovery and has attempted to re-schedule a conflicting mediation session. For both queries, neither the assigned mediator nor opposing counsel have responded and as such, Plaintiff strongly believe that participating in the program at this time will serve no other purpose than to prolong these proceedings. To be clear, it is Plaintiff's position that Defendants' failure to even provide at a minimum the alleged Corporate Compliance Investigatory Report is indicative of their unwillingness to resolve this matter at this time.

In closing, Plaintiff is respectfully requesting an earlier date for the Initial Scheduling Conference. As it stands, the parties are to appear in Court on September 30th. To date, Plaintiff has already given Defendants her discovery demands and is requesting that a Scheduling Order be put in place as soon as practical pursuant to Fed. R. Civ. P. 16 and 26.

Respectfully submitted,

/s/

Special Hagan, Esq.
Attorney for Plaintiff
Melissa Kaye

c: Donna Canfield, Esq.
Counsel for Defendants
SDNY Mediation Program